

Mario N. Alioto (56433)
Email: malioto@tatp.com
Lauren C. Capurro (241151)
Email: lauren russell@tatp.com
TRUMP, ALIOTO, TRUMP & PRESCOTT LLP
2280 Union Street
San Francisco, CA 94123
Telephone: (415) 563-7200
Facsimile: (415) 346-0679

Interim Lead Counsel for Indirect-Purchaser Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. 3:07-cv-05944 SC

MDL No. 1917

This Document Relates To:
INDIRECT PURCHASER ACTIONS

**STIPULATION OF DISMISSAL OF
DEFENDANTS SAMSUNG
ELECTRONICS COMPANY, LTD.
AND SAMSUNG ELECTRONICS
AMERICA, INC.**

WHEREAS, there is pending in the United States District Court for the Northern District of California a multidistrict consolidated proceeding comprised of actions brought on behalf of purported purchasers of cathode ray tube ("CRT") products, captioned as *In re: Cathode Ray Tube (CRT) Antitrust Litigation*, Case No 3:07-cv-05944 SC (MDL No 1917) (the "MDL Proceedings"); and

WHEREAS, Indirect Purchaser Plaintiffs ("IPPs") filed a complaint, which has subsequently been amended as the Fourth Consolidated Amended Complaint [Dkt. No. 1526] ("Complaint"), that lists Samsung Electronics Company, Ltd. ("SEC") and Samsung Electronics America, Inc. ("SEAI") among the defendants; and

1 WHEREAS, the Complaint asserts certain claims under various states' laws against SEC
2 and SEAI based on an alleged conspiracy to fix the prices of CRTs (but not a conspiracy to fix the
3 prices of finished products containing CRTs such as televisions and computer monitors) running
4 from March 1, 1995 to November 25, 2007 ("IPPs' CRT Claims"); and

5 WHEREAS, SEC and SEAI claim that neither SEC nor SEAI at any time made or sold
6 CRTs during the period alleged in the Complaint, but rather SEC purchased CRTs during that
7 period; and

8 WHEREAS, IPPs have conducted an investigation into the facts and the law and have
9 concluded that dismissing the IPPs' CRT Claims against SEC and SEAI is in the best interest of
10 IPPs and the putative class; and

11 WHEREAS, IPPs have agreed to dismiss SEC and SEAI from its Complaint without
12 prejudice under certain conditions set forth in a separately executed tolling agreement;

13 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
14 undersigned counsel, on behalf of their respective clients, as follows:

15 1. IPPs voluntarily dismiss all of the IPPs' CRT Claims against SEC and SEAI,
16 without prejudice, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

17 2. Each party shall bear their own costs and attorney fees, and the parties shall not
18 pursue any sanctions against each other or their counsel so long as the IPPs' CRT Claims remain
19 dismissed.

20 3. This Stipulation does not alter in any way the separately executed, written tolling
21 agreement between IPPs and Defendants SEC and SEAI.

22 4. This stipulation does not affect the rights or claims of IPPs against any other
23 defendant or alleged co-conspirator in this litigation.

24 **IT IS SO STIPULATED.**

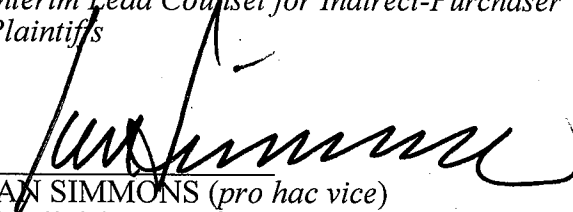
25
26
27
28

1
2 Dated: March 7, 2013

/s/ Mario N. Alioto
Mario N. Alioto (56433)
Email: malioto@tatp.com
Lauren C. Capurro (241151)
Email: lauren russell@tatp.com
**TRUMP, ALIOTO, TRUMP & PRESCOTT
LLP**
2280 Union Street
San Francisco, CA 94123
Telephone: (415) 563-7200
Facsimile: (415) 346-0679

*Interim Lead Counsel for Indirect-Purchaser
Plaintiffs*

3
4
5
6
7
8
9
10 Dated: March 12, 2013


IAN SIMMONS (*pro hac vice*)
Email: isimmons@omm.com
BENJAMIN G. BRADSHAW (SBN 189925)
Email: bbradshaw@omm.com
KEVIN D. FEDER (SBN 252347)
Email: kfeder@omm.com
O'MELVENY & MYERS LLP
1625 Eye Street, NW
Washington, DC 20006
Telephone: (202) 383-5300
Facsimile: (202) 383-5414

*Attorneys for Defendants Samsung Electronics
Co., Ltd. and Samsung Electronics America,
Inc.*

11
12
13
14
15
16
17 Pursuant to Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this
18 document has been obtained from the signatories.

